UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/460,897	12/14/1999	YUNG-KAO HSU	CASE-1	3088

7590 02/17/2005	**EXAMINER**
Joseph B Ryan	TRUONG, THANHNGA B
RYAN MASON & LEWIS LLP	

ART UNIT	PAPER NUMBER
2135	

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DATE MAILED: 02/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Advisory Action *Before the Filing of an Appeal Brief*	09/460,897	HSU, YUNG-KAO
	Examiner	Art Unit	
	Thanhnga B. Truong	2135	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>21 January 2005</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.

   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

     Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☒ The reply was filed after the date of filing a Notice of Appeal, but prior to the date of filing an appeal brief. The Notice of Appeal was filed on <u>21 January 2005</u>. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a)☐ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b)☐ They raise the issue of new matter (see NOTE below);

   (c)☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d)☐ They present additional claims without canceling a corresponding number of finally rejected claims.

     NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: <u>None</u>.

   Claim(s) objected to: <u>22-40</u>.

   Claim(s) rejected: <u>1-21 and 41-59</u>.

   Claim(s) withdrawn from consideration: <u>None</u>.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet.</u>

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____
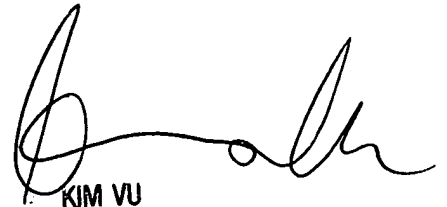
13. ☐ Other: _____.

Continuation of 11. does NOT place the application in condition for allowance because:

Applicant argues that:

"The Hassell reference relied upon by the Examiner fails to meet the above-noted limitations of independent claim 1. For example, there is no mention whatsoever in Hassell regarding the claimed security zones, each having an associated Zone Keeper, or the claimed determination as to whether a given requested secure conmmnication constitutes an intra-zone or inter-zone communication. Thus, Hassell fails to teach or suggest a dual-tier security architecture of the type claimed."

Examiner maintains that:

Hassell teaches the claimed subject matter. In fact, turning now to Figure 3, a flowchart is provided that depicts the top-level operation of the prioritization aspect of the present invention. Specifically, upon receiving an incoming call, the system (that is "a zone keeper") validates the call by way of identifying the caller ID (at step 60). This validation step, having been briefly described above, will be described in more detail in connection with Figure 4. Upon validating the caller ID, the system then determines from an internal database (at step 62) whether it has a prioritization profile for this particular caller ID. If not, it rejects the incoming call (step 64) (column 7, lines 11-20). Furthermore, Hassell states that there are, however, various shortcomings in the present state of the art, including the handling of fault detection, security, and call prioritization. Mechanisms are well known for identifying and notifying a user of a line breakage or other fault condition existing in the link between endpoints. However, endpoint equipment often responds by rerouting all data on a particular line, as opposed to on the affected data. For example, suppose one endpoint of a telecommunications network interfaces to a local area network (e.g. a corporate network) and the telecommunications link communicating with the endpoint is a high capacity T1 line, whereby local area network is "an intra-zone". In addition, another shortcoming noted in present state of the art systems relates to security. In keeping with the previous example of telecommunications network endpoint being connected to a local area network, there is a tremendous need for providing a secured entry from any caller outside the local area network (that is "an inter-zone") to access the network by way of, for example, a dial-up connection. Frequently security issues, such as this one, are handled by password protection. In such systems, dial-up users are required to provide a password for access to the network (column 1, lines 35-67). Furthermore, those limitations, with "if" condition, were ambiguous and indefinite claim language. A more solid terminology should be addressed to support these limitiations. The rejection for claims 1-21 and 41-59 are still maintained.

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